

**WASHINGTON STATE BOUNDARY REVIEW BOARD
FOR KING COUNTY**

REGULAR MEETING MINUTES

May 13, 2004

I. CALL TO ORDER

Chair Jim Denton convened the meeting at 7:00 p.m.

II. ROLL CALL

Ellen Abellera

Lloyd Baker

Chuck Booth

A. J. Culver

Roger Loschen

Michael Marchand

Judy Tessandore

III MINUTES

Regular Meeting: Chair Denton presented the minutes of the Regular Meeting of April 08, 2004 for review and action by the Board members.

Roger Loschen noted that the minutes included a duplicated paragraph on page 4 (final bullet).

Action: Roger Loschen moved and Judy Tessandore seconded the motion to adopt the minutes of the Regular Meeting of April 08, 2004 with a correction to remove the duplicated paragraph. The Board voted (8 in favor) to approve this record. Ellen Abellera abstained as she did not attend this meeting.

IV ADMINISTRATION

A. CHAIR'S REPORT

General Business

Chair Denton reported that the Board has been working on several projects, including: (1) coordinating programs with King County Executive/Council 2004 Work Program as it relates to the Boundary Review Board; (2) coordinating efforts with the State Association to develop and implement a program for work with the State Legislature Interim Session and Legislature 2005; and (3) pre-development review for future Notices of Intention. Committee members and staff will report on each of these activities.

Lenora Blauman reported that Chuck Booth has been selected to serve as Interim Director of the Suburban Cities Association. Mr. Booth described his mission and tasks for the SCA.

B. COMMITTEE REPORTS

Budget Committee: Lenora Blauman reported that Board staff has received some initial instructions for the 2005 Budget Proposal. There are no substantive changes in the preliminary budget allocation or in the budget application materials. Thus, Mrs. Blauman and Mr. Holmes will prepare the first draft of the proposal for review by the Budget Committee. The materials will likely be completed in early June. The proposal is due to the Office of the Budget in early July.

Legislative Committee: Roger Loschen, Lloyd Baker, and Lenora Blauman provided a report on the work of our Legislative Committee with the Association's Legislative Team.

The Team met on April 21, 2004 to discuss plans for Association leadership and activities in the coming year. The Association also discussed a program for working with the State Legislature during the Interim 2004/2005 Session and the 2005 Regular Session.

Sandie Schwary of Clark County, who was to assume Association leadership in Fall 2004, has resigned as President Elect. The Association will select a new president elect in Summer, 2004.

The Association generally holds the Fall Conference in the County which the President Elect represents. The Association continues to plan for a Fall Conference at the Bonneville Conference Center, which is a lovely facility in southwestern Washington. The Conference will take place in September/October. More detailed information will be available in the near future.

The WSBRB Association is also currently undertaking to establish a formal plan and staffing support to address the legislative interests of the Association.

Our BRB State Association has already signaled plans to monitor House and Senate sessions dedicated to review of annexation process and planning for modification of laws related to annexation. The State Association may also seek a place at the table in order to participate in discussions concerning annexation review.

Mr. Loschen also presented information to the Board concerning an anticipated key issue of interest to the Board – i.e., the CTED study of cities, pursuant to the Omnibus Budget Bill for 2004. CTED officials are beginning to develop a plan for design and implementation of the Study Bill. Our State Boundary Review Board Association is seeking to participate in the Study planning process based upon the fact that the study findings will likely be significant with respect to the future conduct of the public review process for annexations. While we will not have a direct role in the study planning effort, the intent is to maintain an information network so that the Association is aware of the study process and may have an opportunity to share ideas with the study planning team.

For the coming 2005 Legislative Session, our State Association will also employ a qualified legislative consultant to aid in providing formal communications to the Legislature. That agent could also participate in informal discussions with legislators concerning both specific bills and general interests.

C. EXECUTIVE SECRETARY'S REPORT

Law Seminars International: Mrs. Blauman reported that she attended the recent Law Seminars International Conference on Washington Land Use Law. This Seminar lays the foundation for understanding the land use framework and exploring current issues relating to the balance between our laws and the objectives of livability in our communities.

Mrs. Blauman attended sessions on the following topics:

- Land Use Planning – Milestones for the Next Ten Years
- Current Constitutional Issues in Law Use Law
- Policy Perspectives on the Key Land Use Issues Facing Washington
- Land Use Petition Act – Standards and Remedies
- Legislative and Administrative Efforts in 2004

Seminars publications are available to Board members upon request.

National Conference Report: Mrs. Blauman reported on the American Planning Association National Conference. The Conference took place in Washington D.C. from April 23 – April 28. The Conference was very well-attended (approximately 5,000 participants from states

across the country) and included some very interesting (and exciting) sessions. Mrs. Blauman attended sessions on the following topics:

- Official Opening Keynote Session
- Creating a Business Plan, Setting Goals, and Development Strategies
- Creating a Customer Oriented Development Review System
- Marketing Your Professional Services
- APA in the Courts
- Initiatives and Referenda
- Federal Laws Affecting Local Land Use Law (Part I and Part II)
- Buildout in the Suburbs
- Smart Growth & Federal Policy
- Planning Directors' Workshops (Session I and Session II)
- Growth Management in Washington State
- Ground Rules for Regional Planning
- Governance and the Role of Planning
- Regional Economic Development (Part I and Part II)

Written materials and CD's are available for most of these sessions. Board members are welcome to contact Mrs. Blauman to receive copies of materials for review.

King County Council Governance Report: Mrs. Blauman reported that the King County Council's Governance Study Commission has completed an analysis and recommendations for the future organization and operation of King County.

The Commission has recognized both King County's successes in serving its citizens and the challenges that occur from the requirements for services to widely scattered populations with extremely scarce funding. The Commission sees the County's financial limitations as both severe and ongoing absent some major infusion of funds from the state, taxation, and/or a reduction in populations requiring local services. The Commission has not recommended a "silver bullet", but has made several recommendations for incremental changes that could improve the County's financial health and capacity to provide regional services.

Recommendations included a wide variety of organizational and service elements. Recommendations relating to service included an emphasis on transferring the County's urban unincorporated lands to cities at the earliest possible date (e.g. 2005). The Commission believes that the key to successful transfer lies with the State of Washington. More specifically, the State would need to provide new laws which could include Growth Management Act provisions which promote annexation, incentive funding, etc.

Consistent with the Governance Report, the County Executive has launched its major initiative to annex urban areas into local jurisdictions.

The Council will be immediately adopting the Commission's Report and will then begin considering priorities and methods to implement Commission recommendations. Included among the means for implementing the report is a Legislative Strategy which would modify state laws concerning annexation – including streamlined procedures for land transfers. Copies of the Commission's Executive Summary were provided to the Board.

Although the Council plans several actions that could affect annexations, the adopted King County Council Work Program 2004 recommended by the Regional Policy committee and the Growth Management/Unincorporated Areas Committee continues to place "annexations" as the 12th priority in a listing with 13 priorities.

No specific guidelines concerning the form and substance of this priority have been made available for review by staff to date.

King County Annexation Initiative: Mrs. Blauman reported that the King County Executive's Office is continuing to work actively to implement the Annexation Initiative. Board staff is continuing to work with the Annexation Initiative Team as appropriate.

Annexation Initiative meetings and Board pre-development services are resulting in an increase in the number of applications for annexation. For example, the City of Snoqualmie and the City of Federal Way are producing applications for annexations which have been pending for a substantial period of time.

At the April 2004 Regular Meeting, Board members confirmed the value of the Board staff's participation in the King County Annexation Initiative Outreach Program. There was general consensus that the Board -- to the extent permitted by the law that establishes our agency as an independent agency -- should be actively encouraging the development of programs and systems that would streamline the annexation process. Such programs and systems might include the expansion of the existing pre-application services program, increased presence at public meetings, the coordination of community information meetings, and the support of legislation which simplifies the annexation process while protecting public review elements of the law.

Chair Denton invited Board members to offer specific ideas and suggestions for programs. He reported that Robert Kaufman, Special Assistant Attorney General to the Board, would provide guidance on the propriety of opportunities and options for such programs and systems.

Board members shared the following observations:

- Based upon the fact that the Board has received a limited number of applications in recent times -- and that the majority of applications have not come to public hearing, the Board may wish to consider the scope and value of its future role -- e.g., what will be the future role of the Board, whether there is value in maintaining a Board or whether the Board's role may be more appropriately managed by another agent.
- RCW 36.03 requires that the Board -- or an equivalent agency -- must provide for public review of annexations until all cities in King County have adopted comprehensive plans and development regulations. The costs for services by the Board or another agency would be equivalent.

However, it is likely that all cities will meet the requirements for plans and regulations within the foreseeable future, so there is some merit in the Board considering terms for disbanding and the potential transition of responsibilities to another agency.

Transition planning is essential to ensure the continuation of necessary services. Transition planning is also important to attend to staffing -- and the appropriate re-employment of Board staff members.

- While the Board has been a caretaker agency in recent times, there appears to be a substantial remaining role for the Board in the near future -- as the King County Initiative appears to be generating a number of applications for annexation which are likely to generate requests for public hearings.
- The Board may also have an opportunity to participate independently -- and/or in conjunction with the Annexation Initiative Team -- to work proactively in the community to engender interest in annexation. The Board members could speak of principles and mandate for annexation review under the law.

In response to this suggestion, Mr. Kaufman spoke about the authorities available to the Board and the restrictions applicable to the Board in the development and implementation of outreach programming. More specifically, the Board is created under RCDW 36.93 for the specific purpose of resolving disputes. If Board members appear in the community and that appearance is perceived as advocacy, then the Board's role as an independent body will be compromised.

- If the Board is viewed by members as continuing to have a valuable role in the public review of annexations and other actions, the Board may wish to develop materials to define and support our mandate – e.g., marketing materials, public relations materials -- to the County, local jurisdictions, citizens, and other regional and state agencies. These materials would explain the Board's purpose, what the Board does, and how we serve both governments and citizens.
- This discussion should focus on the role of the Board as the provider of independent quasi-judicial review of annexations and other actions. Corollary matters – such as staff employment -- may be considered but these matters should not dictate decisions about the purpose, organization, retention, or elimination of the Board.

Board members agreed that the June 2004 Regular Meeting Agenda should provide an opportunity for the members to examine the future of the Boundary Review Board in a conceptual and coordinated manner – e.g., what is our role now and in the future? where do we go from here? how do we achieve our goals?

D. CORRESPONDENCE

Correspondence was reviewed briefly. No questions or issues were raised with respect to the substance of the correspondence.

V. NEW BUSINESS

A. NOTICES OF INTENTION

File No. 2168 - City of Redmond Rose Hill:

Mrs. Blauman briefly summarized the application which is a proposal to annex approximately 76 acres of a 111 acre PAA on the west side of the City of Redmond.

Board members inquired as to the circumstances of the history of the original Rose Hills Annexation. A 76 acre annexation was proposed to the Board in 2001. Jurisdiction was invoked and the entire 111 acre PAA was approved for annexation by the Boundary Review Board in 2002. The annexation failed at election. At this time, the City proposes the smaller annexation – of a different portion of the same 111 acre PAA -- based upon citizen preference.

File No. 2169 - Soos Creek Sewer & Water District P-363-S

Mrs. Blauman briefly summarized the application from the Soos Creek Water & Sewer District to annex 11 acres of vacant land in the City of Maple Valley that is slated for future residential development.

The Board raised no substantive questions concerning the application.

B. PENDING FILES

Auburn	Covington
Kent	Ronald Sewer District
Woodinville	Kirkland
Federal Way	Redmond
Renton (5 files)	Snoqualmie
Tukwila	

VI. ADJOURNMENT

Action: Lloyd Baker moved and Ellen Abellera seconded a motion to adjourn the Boundary Review Board Regular Meeting. The Board voted unanimously in favor of the motion. The meeting was adjourned at 8:20 p.m.

